IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 31ST AUGUST 2007 / 9TH BHADRA 1929

Bail Appl..No. 5227 of 2007()

EXCISE CRIME NO.74/2007 OF KATHIKAPPALLY EXCISE RANGE.

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PETITIONER/ACCUSED(INCUSTODY)

ABRAHAM PHILIP @ SAMKUTTY,
S/O PHILIP, AGED 33, PEEDIKAYIL,
KARUVATTA VADAKKUM MURI, KARUVATTA VILLAGE,
KARTHIKAPPALLY TALUK.

BY ADV. SRI.S.SHANAVAS KHAN

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.NOBLE MATHEW.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T.SANKARAN, J.

B.A.No. 5227 of 2007

Dated this the 31st day of August, 2007.

O R D E R

The petitioner is the accused in Excise Crime No.74/2007 of Karthikappally Excise Range.

2. The offences alleged against the petitioner are under Sections 8(1) & (2) and also under Section 67(B) of the Abkari Act.

3. The prosecution case is that on 15.8.2007, petitioner, accused, was found transporting five litres of illicit arrack.

4. The petitioner was arrested on 15.8.2007. He was produced before the Judicial First Class Magistrate Court-I, Haripad, and he was remanded to judicial custody.

5. Taking into account the fact that the quantity of arrack involved is five litres, and the fact that the petitioner is in judicial custody from 15.8.2007, I am inclined to grant bail to the petitioner. However, the petitioner shall be released only on 14.9.2007.

6. The petitioner shall be released on bail on 14.9.2007, on his executing a bond for Rs.25,000/= (Rupees Twenty Five Thousand only), with two solvent sureties, for the like amount, to the satisfaction of the Judicial First Class Magistrate Court-I, Haripad.

7. The petitioner shall appear before the Investigating Officer, on every Monday, between 10 and 12 noon, till the final report is filed.

Bail application is allowed as above.

K.T.SANKARAN,
JUDGE

nj.